



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/799,364

03/12/2004

Guido Schroeder

34874-089 UTIL

6371

64280 7590 01/12/2007  
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C.  
9255 TOWNE CENTER DRIVE  
SUITE 600  
SAN DIEGO, CA 92121

EXAMINER

VY, HUNG T

ART UNIT

PAPER NUMBER

2163

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
--	-----------	---------------

3 MONTHS

01/12/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/799,364

Applicant(s)

SCHROEDER ET AL.

Examiner

Hung T. Vy

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 7-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. Application's election without traverse filed 10/30/2006 to prosecute the invention of group I, claims 1-6 is hereby acknowledged. Claims 7-10 drawn to a non-elected invention are withdrawn from consideration. Applicant is reminded that claims 22-57 should be formally cancelled. Upon consideration, the rejection of claims 1-6 by Mullins mailed 08/23/2006 is hereby withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of John or Mullins (see below).

**Claim Rejections - 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-6 are rejected under 35 U. S. C. § 102 (a) as being anticipated by John Poole (John)(Model-Driven Data Warehousing, copyright @ 2003 by John Poole).

Regarding claim 1, John discloses a system for enabling a Meta Object Facility compliant service (see page 25 of 39) for a metadata resource, comprising: a connector adapted (see figure in page 15 and "the J2EE connector Architecture" (see page 13 of 39)) to receive metadata (i.e., "meta data communication via JMI programmatic API") (see page 28 of 39) from the metadata resource ("publishing source")(i.e., "CWM rendered in XMI from OMG web site")(see page 14 of 39) via a resource-specific application programming interface

(i.e., "JMI reflective API calls")(see figure in page 27 of 39) corresponding to the metadata resource ("publishing source")(i.e., "CWM rendered in XMI from OMG web site")(see page 14 of 39); a metamodel repository (i.e., "the model repository")(see page 14/39) storing one or more MOF models (i.e., "metamodel interoperability", "advanced functionality based on MOF/JMI Reflection")(see page 25/39) defining metadata (i.e., "load the meta model")(see page 14/39) from the metadata resource (i.e., "meta data server")(see page 14/39) accessible via the resource specific application programming interface (i.e., "JMI reflective API calls")(see figure in page 27 of 39); and a persistence interface (see figure in page 15, 27/39) between the connector (see figure in page 15 and "the J2EE connector Architecture" (see page 13 of 39)) and the metamodel repository (i.e., "the model repository")(see page 14/39), configured to instantiate via the resource-specific application programming interface (API calls) at least one MOF (i.e., "metamodel interoperability", "advanced functionality based on MOF/JMI Reflection")(see page 25/39) compliant service for the connector based on one of the MOF models (i.e., "metamodel interoperability", "advanced functionality based on MOF/JMI Reflection")(see page 25/39) in the metamodel repository (i.e., "the model repository")(see page 14/39), (see page 15, 27 and 30/39).

In regarding claim 2, John discloses the metadata (i.e., "meta data communication via JMI programmatic API") (see page 28 of 39) from the metadata resource is read on-demand via the MOF compliant (i.e., "metamodel interoperability", "advanced functionality based on MOF/JMI Reflection")(see page 25/39).

In regarding claim 3, John discloses the MOF compliant service is a Java Metadata interface service (i.e., “metamodel interoperability”, “advanced functionality based on MOF/JMI Reflection”)(see page 25/39).

In regarding claim 4, John discloses the persistence interface is configured to provide instances of metadata objects and associations between metadata objects according to the MOF compliant service (i.e., “metamodel interoperability”, “advanced functionality based on MOF/JMI Reflection”)(see page 25/39).

In regarding claim 5, John discloses the metamodel repository includes a repository server (i.e., “generate the repository (i.e., create and launch a meta server)” (see page 14/39) configured to generate code for the MOF compliant serve configured to generate code for the MOF compliant service (i.e., “metamodel interoperability”, “advanced functionality based on MOF/JMI Reflection”)(see page 25/39).

In regarding claim 6, John discloses the MOF models are stored in one or more xmi files (i.e., “CWM rendered in XMI from OMG web site”)(see page 14/39).

4. Claims 1-2 are rejected under 35 U. S. C. § 102 (e) as being anticipated by Mullins, (U.S. patent No. 6,999,956).

Regarding claim 1, Mullins discloses a system for enabling a Meta Object Facility compliant service for a metadata resource, comprising: a connector adapted (600) to receive metadata (201) from the metadata resource (Optional Object Database DataSource)(302, 312, 322) via a resource-specific application programming interface (API) (700) (see column 8, line 27-37) corresponding to the metadata resource (see column 9, line 30-36); a metamodel repository (central repository architecture)(see

Art Unit: 2163

column 55-65) storing one or more MOF models (see column 9, line 24-30 or column 18, line 1-15) defining metadata (201) from the metadata resource (302,312) accessible via the resource specific application programming interface (API-700)(see column 8, line 27-37); and a persistence interface between the connector (600) and the metamodel repository (central repository architecture)(see column 55-65), configured to instantiate via the resource-specific application programming interface (API-700) at least one MOF (see column 9, line 30-36) compliant service for the connector based on one of the MOF models in the metamodel repository (see fig. 1).

In regarding claim 2, Mulins discloses the metadata from the metadata resource (Optional Object Database Datasource) is read incrementally and on-demand via the MOF compliant (see fig. 6).

### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2163

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist the examiner to locate the appropriate paragraphs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Vy whose telephone number is (571) 272-1954. The examiner can normally be reached on Monday-Friday 8:30 am - 5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either private Pair or Public Pair. Status information for unpublished applications is available through Private Pair only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hung T. Vy  
Art Unit 2163

December 29, 2006.



WILSON LEE  
PRIMARY EXAMINER